PINS REF: 6005786

APPEAL BY MILLER HOMES LTD

LAND AT COLWELL FARM

CLOSING SUBMISSIONS ON BEHALF OF PROTECT COLWELL FARM ACTION GROUP

1. In Opening, the R6 Party outlined their case according to the three main issues they were raising (transportational sustainability, ecology and planning). In Closing we will adopt a similar structure although it is important to raise a preliminary issue first: the behaviour of the Appellant leading up to the Appeal.

Preliminary Issue – Refusal of Access

2. The Appellant took the unusual decision to refuse a joint site visit between their ecologist and the R6 Party ecologist. The visit was proposed by the R6 Party to discuss various ecological points to narrow matters that might be in dispute. Following that refusal, a request for an independent site visit by the R6 Party to gather evidence as part of their ecology case was similarly refused. This is not an unusual request and – if done by professionals such as was proposed here – can assist an Inquiry in – at least - two ways.

3. Firstly, it allows the Inspector to be fully informed of all the relevant information which will assist with the determination of the Appeal before him. This – as all witnesses accepted – is the overarching aim for any professional witness or reasonably acting party to an inquiry: that the Inspector makes the right decision on the correct facts.

4. Secondly, it allows for areas of dispute to be narrowed because conclusions based by necessity on aerial photography or off-site observations, can be either validated or corrected through a joint survey process.

5. It is no wonder that Ms Barratt and Mr Forbes-Laird confirmed[1] that they had no professional concern about Mr Carpenter conducting a Site visit and Mr Forbes-Laird went so far as to positively emphasise the benefit – in his view – of openness and transparency in relation to these proceedings.

6. But it makes it all the more striking that the Appellant and Landowner decided to prevent the R6 Party from taking action which was accepted as being helpful (or at least not harmful) by their own professional witnesses.

7. The apparent 'reasons' – when they were eventually revealed by Mr Billington – were not acceptable.

8. The first was that the R6 had not put forward a 'site visit itinerary'. But that explanation does not reflect the reality that the R6 were not given the opportunity to submit one but were just given a blanket refusal.

9. The second – and probably most realistic – reason was that the Appellant did not consider that there was any evidential justification for the R6 Party to access the Site. This is – in effect – because they did not consider there was any merit in the arguments about ecology and Ancient Woodland.

10. Setting aside the fact that Mr Carpenter's evidence has shown that to be blatantly wrong – whether successful or not his evidence shows such points cannot be dismissed 'out of hand' – it would also set a worrying principle: that the arbitrator of whether something is a good enough point to justify further evidence being gathered is the Appellant.

11. Clearly – as put but not accepted by Mr Billington in XX – it is not the Appellant's role to decide what is a valid point for an opposing party to put and control their access to potentially relevant evidence accordingly. The decisionmaker in these proceedings is the Inspector and not the Appellant.

[1] XX

12. The R6 Party had raised an argument in the Statement of Case that they considered valid enough to warrant inclusion in our formal case; the Inspector clearly considered it reasonable that the R6 should be allowed to clarify the ecology situation as he allowed them the time to do so. We wished to have access to the Site to see if that evidence would further support or refute that pleaded case and to present that evidence through proofs of evidence (with offered disclosure of any findings prior to proof stage). That is an entirely acceptable approach to take in the preparation for a public inquiry. The Appellant had no right to decide if our point was good enough to be allowed to develop further.

13. The third reason was that the Appellant was concerned that the R6 Party would use the Site visit to widen our case further. What the Appellant means by that is that they didn't want the R6 Party using the findings of the Site visit to run an argument that had not been pleaded in the Statement of Case.

14. Firstly, that was not the intention of the visit which was to continue to properly present our pleaded case.

15. But secondly, the logic of that point does not assist the Appellant especially given the agreed overarching principle of ensuring that the Inspector has all the relevant evidence before him.

16. By example – and it should be stressed this is an entirely hypothetical example and is not intended expressly or by inference to suggest is the actual case with this Site – if an entirely overlooked European Protected Species had been discovered then consideration would have had to be given as to whether the Inspector should be made aware of it. That would have – as reiterated several times by the Appellant's Counsel in relation to late documents on Day 1 and 2 – concerned questions of relevance against questions of prejudice. A decision would then have to be made, and the necessary applications made to the Inspector.

17. But the fact that those tricky questions would have to be considered to ensure the Inspector made the factually right decision does not justify barring access as some sort

of attempt to avoid the issue. The Appellant's third reason for refusing access is effectively a sort of 'ignorance is bliss' type argument which is fundamentally incorrect.

18. Overall, none of the Appellant's three 'reasons' come anywhere close to justifying the decision to refuse access to the Appeal Site to the R6's ecologists.

19. That decision has – undeniably – frustrated the ability of a formal party to this Inquiry to present its case, and will have made the Inspector's job more difficult in resolving the issues before him and coming to the right decision on the correct facts.

20. To be clear the Appellant's decision does not mean they automatically have the Appeal dismissed, nor has any cost application been made against them. But it does have a bearing on how the Ancient Woodland issue is considered, and more generally it is a tactic that should be heavily discouraged.

Transportational Sustainability

21. The issue of transportational sustainability is highly relevant to this Appeal because of the location of the Site outside of the defined built-up boundary of any settlement which makes it – in policy terms – within the countryside. This brings into sharp relief the question of whether such a location is – or can be made – sustainable.

22. Both Mr Russell and Mr Marshall (confirmed by Mr Greaves and Mr Billington) were broadly aligned with the approach that should be taken to paragraphs 110 and 115 a/b in the NPPF.

23. This was that the central question was whether there was a 'genuine choice of transport modes[2]' from the Site. If there was then this would mean that 'sustainable transport modes were being prioritised[3]' and there was 'safe and suitable access to the Site for

[2] NPPF 110
[3] 115 a

all users[4]'. However equally if there was not a genuine choice of transport modes, then those modes were not prioritised and there was not safe and suitable access for all users.

24. There was also significant agreement as to the meaning of 'genuine choice of transport modes'.

25. Mr Russell's[5] view was that to be 'genuine' meant that it had to be 'sufficiently attractive that most people could reasonably be expected to use it'.

26. Mr Marshall accepted[6] to be 'genuine' meant that a mode is not only theoretically available but in practice will be an appropriate choice for residents. To be appropriate requires consideration of whether that mode is both convenient and safe. This – he accepted – reflected the policy test in DP21 which required 'safe and convenient routes for walking, cycling and public transport'. Mr Marshall accepted that if a mode of transport is not both safe and convenient then it is not genuine.

27. He was therefore almost on absolute parity with Mr Russell although he would only accept that the overarching description of a genuine choice being one which was 'sufficiently <u>appropriate</u>[7] that most people could reasonably be expected to use it'. As Mr Greaves set out in XiC, there is no real material difference in policy application terms as to whether something is sufficiently attractive or sufficiently appropriate.

28. The question for this Inspector is therefore whether the Site offers a choice of safe and convenient modes of transport. There are several potential sources of evidence to consider.

29. The first – which is overly relied upon by the Appellant – is the stance of the County and District Council. Given the County Council is the relevant statutory consultee the Appellant asks that the Inspector give great weight to their view. However, the Inspector is not required to do so, and there are compelling reasons why he should not.

[4] 115 b
[5] See 2.4 of his Proof: CD11.4
[6] All at the start of XX
[7] Rather than attractive

30. The simple point is that the Inspector has to determine the issue before him on the basis of the detailed expert evidence before him. We have detailed expert evidence from Mr Russell and Mr Marshall (i.e. both sides of the argument). We do not have detailed expert evidence from either the County or District Council.

31. Instead, the County Council – as relevant statutory consultee – does not seem to focus much of their attention on the question of transportational sustainability. Their consultation responses - CD4.21 to 4.26 – focus instead on the more 'typical' transport issues of vehicular highway safety and residual cumulative traffic impacts with no reference at all to paragraph 110. The SoCG (CD8.5) only contains some high level concluding statements at 5.2 – 5.4 with no justification or detail provided (although it can be noted they use a 10-minute walk as a benchmark).

32. The lack of confidence that the Inspector should place in the County Council's position can be well illustrated by the fact that they seemed to be willing to accept the Appellant's stance of measuring distances from the Site Access. Despite this – with respect – being clearly illogical and a point eventually conceded by Mr Marshall.

33. Equally the District Council position was even more briefly stated[8] and does not take the Inquiry much further.

34. Overall, the Appellant's reliance on the position of these two bodies in this regard is misplaced. If the Inspector prefers Mr Marshall's evidence, then the Appellant wins on those points, if he prefers Mr Russell's evidence then the R6 Party wins. In either circumstance the briefly stated position of the Councils does not take the Inspector any further as either he has already preferred the Appellant's case or he should not use such a briefly stated position to overturn the detailed evidence from Mr Russell that has convinced him. The position of the District and County Council is a blind alley in this case.

[8] As quoted as Mr Marshall's Proof (CD9.2) at 3.4.2 (pdf 12)

35. The much more relevant and weightier evidence comes from the DfT Connectivity Tool.

36. It is important to recognise – as both Mr Russell and Mr Marshall did – the role of the DfT Connectivity Tool. It does not determine whether a location is sustainable. It is just one tool to be used as part of a wider professional judgment. But it is clearly a tool which the Government has placed significant emphasis on and should carry significant weight. It was also expressly raised and relied upon by the Appellant in their Statement of Case (and by Mr Marshall in his proof) indicating they also see the utility in it.

37. This significance is reflected in the Ministerial Statement[9] which accompanied it being made public. The Statement noted that it was to address the problem that '*decision-takers have lacked a commonly agreed evidence base to define connectivity*'. As the final paragraph of the Statement makes clear it is being provided to decisionmakers to help them build sustainable development.

38. The Tool – since the July 26 update – can tell you at least three things.

39. The first is a score which can be used to create a local authority banding view which looks at the scoring of the square compared to the rest of the local authority area. It tells the reader how sustainable a square is (ranked A to J) within the local authority, although the guidance makes clear that a square being highly ranked does not mean it is sustainable per se. In a hypothetical Local Authority area with many unsustainable sites, being the best (least unsustainable) tells one little.

40. Secondly, that score can be used to get a Connectivity Score which tells you how the square compares for connectivity (excluding driving) relatively across England and Wales.

41. Thirdly – and critically – introduced by the July 2026 update was the ability to feed that score into what the Guidance calls the 'Connectivity Matrix' which sets out the different

[9] CD16.5

percentile scores according to a rural-urban classification. This allows you to see how well or badly one sites score compares according to its rural/urban context.

42. Mr Marshall's evidence[10] focused primarily on the local authority banding score of B which means the Site access is in the top 20% most connected areas in the district. But – he accepted[11] - the Guidance (CD19.15) makes clear that this does not reflect 'meaningful thresholds of connectivity' and is more relevant to looking over a wider area for allocation rather than site specific decisions. Mr Marshall accepted that what the Inspector does not have here is evidence that all the 'A' scoring areas have already been developed and the Council can only build housing on 'B' scoring areas. This would be a necessary evidence base to argue that any positive weight should be given to the B local authority banding score.

43. Furthermore, the Guidance makes very clear how the local authority banding score should be considered by decisionmakers (CD19.15 – pdf 16):

> *This means the local authority view should not be used on its own to inform decisions or draw firm conclusions. It is best used to get a quick, high-level sense of variation within an area, before using the connectivity scores and Connectivity Matrix for more robust interpretation*

44. It is this next process – looking at national connectivity scores and the Connectivity Matrix – which Mr Russell has used in his oral and written evidence.

45. In terms of National Connectivity Scores Mr Russell set out how both overall and for walking[12], cycling[13] and public transport[14] the Site scored between the 10th and 30th percentile nationally. Even Mr Marshall had to accept that the Site was 'clearly not scoring well' on this metric. Alternatively for vehicular travel the Site scored a score of

[10] See for example his proof 5.5.14 and Images onwards (CD9.2)
[11] XX
[12] Para 3.14 of Mr Russell's Proof (CD11.4)
[13] Para 3.16 of Mr Russell's Proof (CD11.4)
[14] Para 3.18 of Mr Russell's Proof (CD11.4)

73 which was above the national average and in the 70^{th} percentile – higher percentiles representing a better connected site.

46. The picture from the National Connectivity Scores was therefore clear: this was a Site which is well connected for driving but not for other sustainable transport modes. As Mr Marshall accepted the National Connectivity Scores indicate to those exercising their professional judgment that this Site is not sustainably located.

47. This narrative is then confirmed by the Connectivity Matrix. This was a brand new tool introduced as part of the July Guidance updated (CD19.15) to address a criticism of the Tool: which is that it did not reflect the difference in connectivity between urban and rural locations. This was a criticism also made by Mr Marshall in his Rebuttal Proof[15] at 9.1.7.

48. The Tool allows for the Site to be compared to other sites in a similar urban-rural location. Mr Russell explained how the Site is classified as Urban City and Town. It scores 53 at best (at the Site access). This – when fed into the Connectivity Matrix at pdf 5 – 6 of CD19.15 – means the Site is just on the $10^{th}/20^{th}$ centile boundary for other sites in a similar urban location.

49. In other words – as Mr Marshall accepted[16]- this Site has bad connectivity for the type of location it is in.

50. It is important to bear in mind that this is despite the Tool assuming that all routes people are using are suitable and safe (which they are not). Even with that beneficial assumption the Site is still scoring very badly on the Tool.

51. Overall in relation to the Tool, it is consistently showing that this Site is poorly connected for sustainable transport modes. While that is not determinative, it is a significant evidence base for such a conclusion and one which was then further evidenced by Mr Russell's analysis of the various modes.

[15] CD9.12
[16] XX

52. Before turning to those modes, it is worth briefly addressing the relevance of guidance distances.

53. Guidance distances are provided as an indicative guide rather than a rigid pass/fail. But they are a weighty factor given they are a product of detailed research by respected institutions (such as CHIT) and are used across the sector as a way of testing transportational sustainability.

54. As Mr Marshall accepted, this means that if an Appellant is within those guidelines, then the onus is on the objector to demonstrate why the distance is not acceptable. But if you are outside then the onus is on the Appellant to demonstrate why the distance is acceptable.

55. In this case there was agreement as to the relevant cycle distance (5 miles/8km).

56. There was disagreement as to the walking distance. Mr Russell relied on 800m, Mr Marshall relied on 800m – 1600m.

57. The Inspector should clearly prefer Mr Russell's approach which is based on several authoritative guidance documents including the National Design Guide, Manual for Streets and the 2015 Planning for Walking from CHIT.

58. Mr Marshall had to accept that extending that distance to double that was not supported by any Guidance document but instead primarily relied on NTS data that found that '80 out of 100 trips of less than 1 mile might be made on foot'. But the issue with that data is that is does not tell us how many of those trips were above 800m - 79 of the 80 walking trips could be 400m long walking to a bus stop. The point is that there is no guidance that supports doubling the commonly accepted walking distance of 800m.

59. Fundamentally while Mr Marshall maintained his stance that 800m – 1600m is appropriate, he accepted that this was him "*using judgment to modify guidance'*. But such an approach entirely undermines the point of the weighty guidance. Mr Russell's

approach of adopting 800m – in line with numerous guidance documents – should be preferred.

60. Mr Marshall was fairer in his concession about where to measure distances from. While the Appellant's stance had been consistently to measure distances from the Site access, Mr Marshall did eventually concede the clear unfairness of such an approach. For an exercise that sought to understand the distances residents would have to travel it measured from the one place we know they won't be living – at the Site access. The point does not need to be laboured further as Mr Marshall accepted that distances should be taken from the midpoint point of the houses which is the right hand column of Table 1 of the Transport SoCG[17].

61. Applying these principles to the various modes of transport it is clear – as set out by Mr Russell – that the Site falls far short.

62. In relation to walking, the <u>only</u> facility within 800m is a post-box. That is just not good enough. There is no education, leisure, retail or healthcare facility within a convenient walking distance from the Site.

63. Even if you could extend that distance (and then only the Primary School and Walnut Park play area are under 1000m away), it still relies on residents using Footpath HAH-29CU.

64. But as set out by Mr Russell – even after mitigation – the footpath will be unlit (despite lighting being offered at pre-app), not overlooked and overgrown. This will mean that the Route will not be attractive to anyone walking in dark hours.

65. This unsuitability is further entrenched by the fact that to reach the footpath requires residents to cross Lewes Road which – the Inquiry heard – is currently perceived by many residents as being unsafe due to the speed at which cars can travel along it. While the Appellant is providing an uncontrolled crossing (dropped kerb and tactile paving),

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[17] ID2

it is unclear how this would address safety concerns about crossing (especially with young children).

66. The alternative – if residents did not want to use the footpath – would equally require them to cross Lewes Road before having to walk down Snowdrop Lane which would mean walking in the carriageway on a stretch of road with no street lighting.

67. The point being that the distance from facilities coupled with the unsuitability of either the footpath route or the longer road route will mean – per Mr Russell – that walking is not a genuine transport choice from this Site. It is neither safe nor convenient.

68. In relation to cycling, while Mr Russell accepted that there are facilities within cycling distance you have to also look at the quality of those Routes. When that is done it is noteworthy that none of the relevant roads would meet the LTN1/20 standard for cycling (see 4.36 of Mr Russell's proof – CD11.4).

69. The relevance of this is stated expressly by LTN1/20 as quoted at 4.38 of Mr Russell's proof:

> *Most people, especially with younger children, will not feel comfortable [cycling] on-carriageways with more than 2,500 vehicles per day and speeds of more than 20 mph. These values should be regarded as desirable upper limits for inclusive cycling within the carriageway.'*

70. All these non-compliant LTN1/20 roads are far in excess of 2,500 trips a day and some go as high as double 20mph. Lewes Road – which all cyclists would have to travel on to/from the Site – has over 10,000 trips a day.

71. These roads will not be felt as safe for the majority of cyclists, and the Appellant is not providing any mitigation to address cycling safety.

72. Mr Marshall was eventually forced to accept that this meant that the cycling was only a genuine mode of transport '*for the confident cyclist*'. But with respect this must mean that it is not 'sufficiently attractive that most people could reasonably be expected to

use it'. Cycling is not a genuine transport choice from this Site for the purposes of 110 of NPPF.

73. In relation to access to bus stops, while Mr Russell and Mr Marshall differed on guidance[18], this was less relevant as both parties agreed that the nearest bus stop sat outside both experts' guidance distance.

74. The nearest bus stop on Northlands Avenue is 1050m away and has a limited offer of only two services (one hourly – the 31, and one two hourly – the 31A). This issue required the Appellant to focus instead on the much greater connections from the hospital bus stop. But that overlooked that this bus stop is around 1.4km away: significantly more than any guidance distance. It is just too far away to offer a genuine choice of bus travel.

75. This leaves rail travel and Mr Russell did accept that Hayward's Heath station did provide excellent connectivity. But the issue is that there is no sustainable way to get there.

76. It is not within a reasonable walking distance (Mr Marshall XX) and cycling carries the same safety issues outlined above. These limitations forced the Appellant to rely on the theory that driving to a station that is well connected (i.e. park and ride) is sustainable.

77. As Mr Russell explained in detail this is simply not right. The 'Better Connected' Document (CD19.14) relied upon by the Appellant does not support this as they were misquoting from the wrong section. Mr Marshall had to accept that their thesis was inconsistent with one of the key priorities of the document to 'create healthier communities[19]'.

78. If the Government were intending to promote driving to a train station as making a location sustainable then not only would it significantly weaken the threshold for a site

[18] Mr Russell said 400 to 640 max, Mr Marshall said 800m
[19] See first para on page 7 and page 14

to be sustainable but would be at odds with the draft NPPF emphasis on well-connected stations being within <u>reasonable walking distances</u> to a Site to make it sustainable.

79. The Appellant's insistence on this point in fact reflects quite how unsustainable this Site is: their best argument by some margin is that residents could drive to a well-connected station.

80. Overall from every angle this Site is shown to be transportationally unsustainable. It is attractive to driving but not to any other mode of transport which should all be discounted for either being too far from relevant services/facilities or unsuitable or unsafe.

81. It is telling that because the Appeal Site fails every national guidance documents (DfT Connectivity Tool, National Design Guide, 2015 Planning for Walking, LTN1/20), the Appellant is forced to arguing that 'professional judgment doesn't have to follow the guidance'. That is technically correct, but to be this wrong surely means that their professional judgment cannot be right. This Site is unsustainably located and contrary to 110, 115 and DP21.

Ecology – Reptiles/Bats

82. There are two particular ecological concerns raised by the R6 (setting aside Ancient Woodland). While Mr Carpenter rightly – as it led to corrections – raised several issues with the Appellant's BNG calculation, it is accepted that the Appeal Scheme can deliver the mandatory 10% BNG requirement. This will be achieved through providing a proportion of the BNG on-site, with the deficit (to the 10% level) achieved by purchasing off-site BNG units and consequently there is no concern in relation to achieving a net gain in BNG[20].

83. In relation to Reptiles, they are relevant to the determination because it is accepted that native reptiles are present (slow-worm, common lizard and grass snake). These species are listed on s.41 of the Natural Environment and Rural Communities (NERC) Act

[20] ID17

2006, and are therefore 'Priority' species. Consequently, this triggers the Inspector's 'biodiversity duty' under s.40 of the NERC Act 2006, and as strengthened under s.102 of the Environment Act 2021, to conserve and enhance biodiversity (all accepted by Ms Barratt in XX). Further, these reptile species are listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), and is pertinent here as species listed on Schedule 5 are protected from intentional killing and/or injuring.

84. The Appellant recognises this because they have purported to mitigate the impact arising from the development proposals on the above reptile species by proposing a reptile receptor area in the Eastern part of the Site. However, as set out by Mr Carpenter there are numerous issues with this.

85. The first is the size. The Appellant's state that the reptile receptor area is 1.117ha in extent. As set out in Natural England's Standing Advice (CD20.17) a receptor area should be: 'at least the same size as the habitat that will be lost, and larger if the lost habitat is of high quality'. The obvious observation is that the area of the Site being developed is much larger than that – so how has the Appellant calculated that area?

86. The answer was – at first – that it was unclear how they had done so. But through the evidence of Ms Barratt it became apparent that the figure had been derived from where the refuge survey had found reptiles. This is a problem because the refuges were only placed on the boundary of the field parcels within grassland (see Figure 1 in Ms Barratt's proof[21]). This meant that the central parts of the field parcels were not surveyed which is contrary to Froglife's Advice Sheet 10[22] which Ms Barratt relied upon in many other contexts. That Advice Sheet makes clear at page 4 that refuge tins should be placed evenly across the Site because '*You may be surprised to find reptiles in unexpected locations'*.

87. When confronted with this clear breach of the relevant guidance, Ms Barratt explained that '*It's not contrary to guidance, I just chose not to do it'*. With respect that is just not right and illustrates the Appellant wider approach of heavily relying on Guidance when

[21] CD9.8
[22] CD20.7

it supports them and dismissing it as a wider matter of professional judgment when it does not.

88. In this case there is no robust evidence to say that 1.117ha is sufficient size and this alone makes the Appellant's approach contrary to the Standing Advice from Natural England (CD20.17).

89. The second identified issue is the habitats within the receptor area. It has been calculated that the receptor area comprises approximately 40% woodland/dense scrub which Mr Carpenter explained is too much shade for reptiles who rely on sunlight for thermoregulation. While everyone agreed that some shade is required, he considered the extent of this shading habitat to be too high for this site. It was notable that Ms Barratt, through XX, highlighted that the extent of the 1.117ha receptor area (which comprises 40% woodland/dense scrub and 60% grassland) was calculated based on the loss of 1ha of grassland within the Site. This is contrary to Natural England's Standing Advice which states that a receptor area should have 'similar habitat to the area that will be lost…'.

90. A final issue with the translocated area – setting aside deer grazing which can be controlled by deer fencing around the periphery of the receptor area– is the fact that the Appellant is trying to get 'two for the price of one'. As well as a reptile receptor area to purportedly mitigate adverse effects arising from the proposals on native 'Priority' species, the Appellant is upping their biodiversity net gain by planting the area as species-rich wildflower grassland. Ms Barratt confirmed this is not a requirement for the reptiles and therefore the receptor area does not need to comprise this habitat.

91. The issue this brings is that there is an inherent inconsistency with the management of these areas in terms of mowing/cutting the grassland vegetation. The Reptile Habitat Management Handbook (CD20.13) makes clear that ideally for reptiles you should only mow/cut once every three years in winter[23]. To solely benefit the wildflowers, the Appellant will be mowing twice a year during the active reptile season.

[23] Page 31 – 32)

92. Fundamentally, the Appellant is providing a translocation area that is too small, too shady, will be subject to an intensive mowing/cutting regime, and will be accessible by domestic cats. It is not an appropriate mitigation and sits uncomfortably with the need to protect reptiles under the Wildlife and Countryside Act 1981 (as amended), and to conserve and enhance these species further to the NERC Act 2006 and the Environment Act 2021, as well as in local and national policy.

93. In relation to bats, it remains the case that the Appellant is felling four trees which contain Potential Roost Features (PRF-I) for bats and doing so in a manner which is contrary to the Bat Mitigation Guidelines[24] (Fig 6.3 on page 88) which requires an emergence survey to be carried out where a tree cannot be inspected. This is in breach of Policy DP37 – damage or loss of trees which have wildlife importance – despite Mr Billington's odd interpretation that this would only apply if the bat was in the tree when it was felled, ignoring the importance of the habitat itself.

Ecology – Ancient Woodland

94. The starting point for considering the issue of Ancient Woodland is the correct definition. While this does seem to be a matter on which Mr Carpenter and Mr Forbes-Laird agreed, there was an inference from the Appellant's Counsel's questioning that an alternative approach would be taken and so it is worth setting out the proper approach in full.

95. The NPPF defines Ancient Woodland as '*An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).*'.

96. In considering the objective interpretation of those words, it is entirely appropriate – and in fact highly relevant – to consider the Standing Advice from Natural England and the Forestry Commission (CD21.1) who are the relevant statutory bodies in relation to trees. The guidance is cross-referenced in Planning Practice Guidance.

[24] CD20.13

97. That guidance confirms that the meaning of PAWS ('Plantations on Ancient Woodland Sites') is an area of ancient woodland 'replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi'.

98. The Guidance also makes clear that '*'Wooded continuously' does not mean there's been continuous tree cover across the whole site. Not all trees in the woodland have to be old. Open ground, both temporary and permanent, is an important component of ancient woodlands*.'

99. The clear point is this – the term Ancient Woodland is not concerned with simply 'trees' but is concerned with the wider habitat of an Ancient Woodland i.e the soils, ground flora and fungi. It is the habitat as a whole that is irreplaceable and it is not the case that you need an area to have been continuously 'treed'. You can have both open areas and areas where trees have been cut down then new trees planted (or natural re-growth), with the soil, flora and fungi retained (i.e there has been no habitat loss). This was all expressly accepted by Mr Forbes-Laird at the start of XX and is consistent with Mr Carpenter.

100. In terms of the methodology for identifying Ancient Woodland both Mr Carpenter and Mr Forbes-Laird were consistent in using the 'Ancient Woodland Inventory Handbook for England' (CD21.2). The difference between them was only one of weight: either the Handbook was very helpful (Mr Carpenter) or it was determinative (Mr Forbes-Laird).

101. Mr Forbes-Laird's more bullish position (consistent with much of the tone of his written evidence) is inconsistent with the Handbook itself which expressly notes several times[25] that it should not be used in a prescriptive manner for assessing individual areas of potential Ancient Woodland on a Site.

[25] Foreword on PDF 5 "*This handbook is not aimed at outlining the process for assessing individual sites. It is targeted towards projects aimed at refining the inventory over larger areas. However, some of the information contained in chapter 6 (stage 4 of the process) and the case studies, will be useful in making such assessments.*" Aims of Handbook at 1.3 on pdf 13 "*The guidance is not intended to be absolutely prescriptive, but to show what should be regarded as a general standard, based on some common inputs and outputs.*"

102. But regardless of which stance is taken, it is right to note that the Handbook must be read in its context – which is that it is written aimed at researching/ carrying out screening for Ancient Woodland over large areas (i.e. at the district or county level). This explains why a broad-brush flow chart approach is used, or the particular focus on Epoch 1 maps (which are recommended to be loaded in as a specific filter on the model). It must be the case that you don't just blindly apply the Handbook to individual sites.

103. Instead, the Handbook itself is at pains to stress how a holistic approach needs to be taken to considering the question of Ancient Woodland rather than focusing on one single evidence source[26]. This means carrying out a 'mini-historical ecological study' which looks at both cartographic evidence and biological records including ancient vascular plant indicator species (AWVPs).

104. The Handbook makes clear – between pdf 102 – 105 – that there must be consideration of various sources. Maps (which are highly useful and need to be looked at as a whole rather than just on one map), landscape context and biological field indicators all need to be considered. None are determinative on their own but together can create a compelling enough narrative to support a conclusion.

105. The reason it is worth setting this out is because – despite his denials in XX – this is exactly the approach Mr Forbes-Laird did not take in his written evidence. Referring back to the six pages on Ancient Woodland in his proof (unsupplemented by Rebuttal) – and the earlier Technical Note appended at JFL4 – is a prime example of dismissing out of hand on a single piece of evidence the potential for Ancient Woodland (Epoch 1[27]). Pertinently, the Handbook states at 6.1: 'Keeping an open mind and judging the evidence on its own merit rather than falling into the trap of fitting observations to expectation is vital in this project phase'. The stridency of Mr Forbes-

[26] See for example page 100 (pdf 110) "*The evaluation should be based on a reasoned review of all the available information on the history of the site, its condition and context. It is a central tenet of assessing the evidence for or against antiquity that sources are not judged in isolation and that designations are not made on the basis of a single fact. An holistic approach is required and a decision reached based on the balance of probability. The more pieces of evidence used and the higher the quality of the individual pieces of evidence the more robust the evaluation. In effect each site is a mini historical-ecological study though for many there may be an incomplete record. The process can be seen as 'building a case' for or against continuity and ancientness.*

[27] See 4.3.2 of Proof (CD9.3)

Laird's written position highlights the relevance of the concession at the end of XX (re-affirmed in answer to the Inspector's Question) that there was a 30% possibility of the Shaw being Ancient Woodland.

106. The Inspector is therefore asked to prefer the much more detailed and carefully set out analysis of Mr Carpenter.

107. Before turning to that analysis, it is worth setting in context the nature of the argument the R6 Party are running. We are not attempting to magic Ancient Woodland out of thin air that was not there before.

108. There is existing recognised Ancient Woodland (Cains Wood) adjoining two sides of the Site. We are therefore just arguing about the extent of that recognised Ancient Woodland.

109. In that context, the two linear wooded features (located between each of the three field parcels) we are examining are connected to that recognised Ancient Woodland, and – as agreed by the Council and Mr Cook – these fields are considered to be the product of assarting which is the process by which woodland areas were cleared ('bites' as Mr Carpenter called it) to create enclosed private farmland. These fields would have been carved out of what was likely, a larger extent of Cains Wood.

110. Even Mr Forbes-Laird had to accept in XX that it was at least a plausible narrative that the boundaries of the fields could be the result of retained uncarved out areas of Cains Wood.

111. Turning to the Map evidence, the first map evidence is from 1795. The fact that map evidence does not go back to 1600 is not fatal (as Mr Forbes-Laird accepted in XX and attempted to row back in Re-Ex) as well illustrated by the fact that the Handbook advising its search beginning in the later Epoch 1 map of the mid 19th century.

112. Both the 1795 Map and the 1813 Map[28] show Ancient Woodland in close proximity to the Site (and in fact appears to show the red line of the Site including some of this Woodland) although they do not show the exact features we are concerned about. This is not an issue however because – as the Handbook makes clear[29] - in early maps, given accuracy issues, it is more relevant if there is Woodland depicted in proximity rather than the exact boundaries of that Woodland. There is nothing inconsistent in those early maps which shows Woodland within and in close proximity to the Site with these likely to be Ancient Woodland (with Cains Wood identified as such in the inventory).

113. The next Map – the Tithe Map of 1840 – is an important one and one accepted to have been entirely overlooked by Mr Forbes-Laird (confirmed in XX). It assists in relation to the linear wooded feature between the eastern and central field parcels (the eastern wooded linear feature), and the north-eastern boundary.

114. It confirms that at least the eastern field was the product of assarting and shows that the eastern wooded linear feature as being part of Cains Wood by the fact it is part of the same parcel labelled 'The Wood'. It also shows the north-eastern edge of the eastern field as being known as 'The Shaw' which – it was agreed by both experts – is an old English word for a strip of woodland.

115. The – very clear – point from the Tithe Map of 1840 is that it is positive evidence that the eastern wooded linear feature and the Shaw within the Site are likely derived from remnants of an historic larger Cains Wood. Even Mr Forbes-Laird had to accept that point in XX.

116. The next set of Maps are the 1874 (Epoch 1) and 1896 (Epoch 2) OS Maps.

117. In relation to the Shaw, they both show a line of trees with the latter Epoch 2 map showing a dotted line around the trees in a manner which the Handbook notes

[28] Pdf 12 and pdf 13 of Mr Carpenter's Proof (CD11.5)
[29] Pdf 72

depicts a narrow wood[30]. It is therefore undeniable that there were trees in the late 19th century within the Shaw and that point should not be lost sight of when the Inquiry became lost in the cartographical woods in relation to whether the trees were a single surveyed line of trees or a woodland.

118. Mr Carpenter's narrative is much more persuasive, but in some sense – given the definition of Ancient Woodland and the context of the earlier map evidence – it is entirely unclear whether the debate takes us any further given the clear recorded presence of trees.

119. In relation to the eastern wooded linear feature the Appellant's argument is that it is depicted on those maps as a single drawn line identifying a hedge. But as the specific guidance from the Handbook makes clear on these maps[31] "*the map does not in itself (i.e. without corroboration from other sources) give grounds for elimination of ostensibly recent sites nor for the designation of apparently ancient sites"*.

120. That line needs to be considered in the context of the Tithe Map before which showed it as part of Cains Wood, the current condition of the central/eastern divider and the fact that it is accepted that the Ancient Woodland habitat can survive without trees being present. These OS Maps cannot tell us what exact habitat was present at that time.

121. After this the remaining modern map evidence – 1954 OS Map – is of less assistance because Mr Forbes-Laird accepted (as warned about in the Handbook at pdf 83) that 20th century OS Maps did not record trees in the same manner as previous OS Maps.

122. Therefore, in terms of the Map evidence, there is consistent positive evidence that the Shaw could be Ancient Woodland. In relation to the central/eastern divider it is fair to say that evidence points both ways.

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[30] Handbook – pdf 43 and also the example of Russell's Wood which has a similar area on the fourth linear feature which is categorised as Ancient Woodland.
[31] Pdf 55

123. In that context the next factor of the landscape clearly supports these features as both being derived from a once larger (and likely ancient) area of Woodland given they are widely recognised (the Council, Mr Cook, Mr Carpenter, Mr Forbes-Laird in relation to half the eastern field) to be a product of assarting.

124. The Appellant attempted to overcome the issues of the map evidence by relying on aerial photography from the 1940s. There are a few issues with this.

125. Firstly, the point the Appellant derive from them are the appearance from above that there is a lack of trees. That may be right for some areas, but – given the definition of Ancient Woodland – that does not mean that the habitat itself has been lost (or 'grubbed out' as Mr Carpenter put it). This is well illustrated by the fact that the aerial photos were accepted to show areas of Cains Wood as deforested without preventing it still being considered to be Ancient Woodland by Natural England. Indeed no evidence has been presented by the appellant for the 'grubbing out' of the broader habitat that would lead to its loss at any stage.

126. Secondly, it cannot be said that the Shaw is depicted without trees. As set out by Mr Carpenter there is clearly a wide band of vegetation in the 1940 and 1944 photographs and significant growth again in the 1947 photo (consistent with the narrative of agricultural intensification in World War II leading to the temporary reduction in the width of boundaries).

127. What the aerial photographs do not show however is the lack of any boundary feature where the Shaw or the central/eastern divider are located.

128. The point being that at this juncture in the analysis there is no 'knock-out blow', no clear evidence that allows the Inspector to conclude these features are not ancient in origin. In fact, the evidence supports that they could be.

129. This is where – in line with the Handbook – the biological field evidence would have come in to provide that final piece of the puzzle. The Appellant has not provided any evidence as to ancient vascular plant indicator species (AWVPs). Mr Carpenter has

– confirming that from outside the Site– he was able to confirm four species (bluebell, remote sedge, tutsan and wood sorrel) within the Shaw.

130. He wanted to confirm this on Site but – as set out above – was denied the opportunity/ability to do so by the Appellant via its agents.

131. So where does that leave the Inspector?

132. It our view the path ahead is clear. There is a consistent bundle of evidence (map, landscape, aerial photography and biological (albeit limited- see above regarding site access)) for the Shaw to be deemed– on a balance of probabilities –to be Ancient Woodland. The case is strong enough to support that without the need to refer to the precautionary principle. In respect of the eastern/central divider, in the absence of any evidence of it being cleared and replanted (and the evidence points the other way), this may therefore also be regarded as ancient. To highlight, any field boundary derived from ancient woodland by assarting could still retain its irreplaceable nature and undisturbed soils, provided it remained essentially 'wooded' (i.e. no change to another land-use) since 1600. It might not be a 'wood' as such, but such features can be narrow and are often recognisable by their ancient woodland ground flora.

133. The R6 Party attempted to address the above uncertainty through site access and survey; however, we were denied the ability to do so to provide the final piece of the analytical puzzle. If it was an attempt by the Appellant to frustrate this point, it should fail for the simple reason: the precautionary principle.

134. The Handbook is clear[32] that "*Inevitably situations do arise where indications of antiquity and counter indications are too finely balanced to judge beyond doubt and then the precautionary principle must be applied pending further evidence.*". In effect the Inspector should proceed on the basis that the Shaw is Ancient Woodland. As highlighted above, the evidence for the central/eastern divider to be ancient woodland points both ways. This boundary feature appears to have been derived from assarting, is shown on the tithe map as woodland and connects with Ancient Woodland (Cains

[32] Pdf 102

Wood), with these factors all pointing to its ancient origin. Nevertheless, it has been narrowed historically, and it is unclear whether it still retains its 'ancientness' due to the lack of field survey for biological indicators. Consequently, in the absence of adequate survey at the appropriate time of year, the precautionary principle should be applied.

135. As put to Mr Forbes-Laird, the purpose behind this approach is entirely logical: if it turns out there is no Ancient Woodland and permission has been refused then that situation is reversable: a planning application can be made again. If it turns out there is, and permission has been granted, then it is irreversible. It should be noted that Mr Forbes-Laird fully endorsed the precautionary approach as set out in the Handbook.

136. Overall, the Inspector has sufficient evidence to conclude that the Shaw is Ancient Woodland, and in respect of the central/eastern divider this could be Ancient Woodland. This can be done on a balance of probabilities alone but if there is uncertainty then it comes from the lack of ecological evidence due to the Appellant's actions and the precautionary principle should apply against them.

137. Concessions are sometimes telling. For an expert of such bullish prose, the fact that at the end of cross-examination Mr Forbes-Laird had to accept in relation to the Shaw that there was a 30% chance of it being Ancient Woodland speaks volumes. It is much more than that – for both the Shaw and the eastern linear wooded feature – but the fact that Mr Forbes-Laird professionally felt he had to reflect the merits of our case in relation to the Shaw stands in sharp contrast to the Technical Note that supported refusing us access to the Site on the basis of our arguments being "*founded on substantive ignorance of the applicable methodological approaches to be taken in the identification of ancient woodland. As such, they can be dismissed immediately*[33]*.*"

Planning

[33] Para 17 of Forbes-Laird Appendix at pdf 17 (CD9.3a).

138. Both Mr Greaves and Mr Billington agree that the Appeal Scheme is contrary to the Development Plan as a whole. However Mr Greaves is correct in the more extensive and weightier conflict that leads to this result.

139. The location of the Site outside of any defined built- up boundary means that there is conflict with DP6, DP12 and DP15. As Mr Greaves set out these are the central strategic policies of the Local Plan and their importance cannot be overlooked. The fact that DP6[34] restricts development – even when contiguous with built up areas of settlements such as this – to ten homes and still requires them to establish sustainability shows that the Local Plan does not want large scale housing coming forward in the countryside, <u>and</u> just because you are next to a Tier 1 settlement does not make you automatically sustainable (as accepted by Mr Billington).

140. Mr Greaves gave these policies moderate or moderate-significant weight (confirmed in XX) which was reduced by the fact that the Plan was out-of-date due to the lack of a five year housing land supply but not negated by it.

141. Mr Billington's attempts to mitigate this damaging conflict with the three central important policies of the Plan was twofold.

142. The first – in relation to DP15 – was to argue that it simply did not apply. With the greatest of respect that cannot be right. DP15[35] concerns 'New Homes in the Countryside' and references both DP6 and DP12. Setting aside whether the conflict 'adds' to DP6 and DP12 is a subsequent matter. Mr Billington did not even want to accept it was conflicted with, but it clearly is.

143. As to the relevance of it, it is not irrelevant because it expands the types of residential housing that can be brought forward in the countryside (for example Rural Exception Sites).

[34] PDF 44 of CD5.3
[35] PDF 69 of CD5.3

144. This is relevance because of the second mitigation argument. In his written proof – there was an attempt to argue that these policies weight should be reduced because they are inconsistent with the NPPF. But – as mostly accepted in XX – that is not correct and Mr Billington was unable to point to a paragraph of the NPPF where the approach of these policies (which is to take the common approach of being more restrictive as to residential development outside of settlements) is inconsistent.

145. That is not to shirk away from the fact that these policies are out-of-date due to the lack of a 5YHLS, but the policies should not be punished twice as Mr Billington does in his proof.

146. Overall Mr Billington accepted that DP6, DP 12 and DP15 (if breached) were the key spatial policies for where housing should go, a central part of the development plan, important, and breached (all put in XX).

147. While they are out-of-date that does not automatically reduce their weight to limited but requires a planning judgment which can be that they still should carry higher weight.

148. Mr Billington accepted that one factor in weighting was the consistency that these policies have with the emerging plan.

149. In that regard it is relevant that – if the allocation policy of the Site is rejected – the emerging Plan would not change the built-up boundary and so the Site would remain in countryside. As set out by Mr Greaves[36] – and accepted by Mr Billington – DP6, DP12 and DP15 would be carried forward in substance into the new plan. The Council are not abandoning that element of the spatial strategy in the emerging plan, and this factor must increase the weight to be given to these three policies.

150. On top of that spatial strategy conflict, there would then be a plethora of further conflict if the R6 Party's case was accepted.

[36] See Table at paragraph 115 on pdf 27 at CD11.3

151. In relation to Transport, DP21 and NPPF 110 and 115 would be breached.

152. In relation to Ecology, DP37 and DP38 would be breached. However – to deal with the point now – it was accepted by Mr Billington that if NPPF 193 c) was triggered, because there would be loss or deterioration of Ancient Woodland, then he accepted permission should be refused because there were no wholly exceptional reasons (and no compensation strategy).

153. There was a nuance to his answer that needs addressing. He accepted that in relation to the central/eastern divider then the Appeal Scheme would trigger 193 c) if it was Ancient Woodland. However in relation to the Shaw he argued that such an issue could be resolved at Reserved Matters stage.

154. An inventive response, but an incorrect one. Ancient Woodland is afforded the highest protection in planning policy. This is why it is a matter that has to be considered at outline stage when the principle of development is being set. It is why the Appellant has – rightly – expressly taken account of the existing Ancient Woodland of Cains Wood, defined the relevant buffer zone and designed their outline scheme around it accordingly.

155. To suggest that the same could be done on the fly at reserved matters stage raises more questions than it answers. If the Shaw is Ancient Woodland, then we don't know the size of the buffer nor where to start measuring from. The Standing Guidance (CD21.1[37]) makes clear that the buffer is a minimum of 15m (likely to be larger if an assessment shows other impacts likely) and measured from the boundary of the Woodland. The Inspector therefore cannot determine if there is sufficient space for the development to come forward as currently proposed with the necessary final buffer for the Shaw.

156. This raises the real risk – for which there would be some justification – that if the Council attempted to impose restrictions on development to reflect the Shaw then they would be told by the Appellant 'Ancient Woodland was considered at outline as

[37] Pdf 9

part of the principle, and we got our permission without any buffer on plans so you can't introduce it now'.

157. For something so important as Ancient Woodland, it is simply not sufficient nor good planning to argue in effect 'if we missed it we can deal with it at RM stage'. If the Shaw is Ancient Woodland then permission should also be refused under 193 c).

158. It is worth emphasising that even if we have lost on the Ancient Woodland point then Policy DP37 and DP38 are still breached.

159. DP37 is breached because of the loss of roosting trees (as set out above) and DP38 is breached because of the inadequacy of the reptile translocation area which conflicts with the second bullet point of DP38[38].

160. Therefore, there would be significant conflict with the Development Plan as a whole.

161. This would require a significant weighty consideration to justify departing from the Development Plan.

162. In this regard the Appellant's case really boils down to two points.

163. The first is the delivery of housing given the Council do not have a 5YHLS. But this was accepted as not being an automatic reason to grant permission, and Mr Billington accepted you needed to look at the suitability of the Site, the extent of the shortfall and how it will be rectified.

164. In relation to the suitability of the Site, as set out above it is clearly unsuitable. It is unsustainable and will harm ecology and Ancient Woodland. Housing should not be used to forgive unacceptable sites.

[38] "Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species."

165. In relation to the shortfall, it is highly relevant that the lack of a 5YHLS is going to be solved imminently (current ETA is by Dec 2026/Jan 2027) by the adoption of the local plan. It is clearly relevant that a solution is around the corner. A preferable plan-led solution.

166. What's more it is a solution which <u>does not require this Site</u>. The Plan is over-supplying to meet the requirement plus headroom for flexibility. The Post Hearing Update (CD7.3) confirms at page 16 that the requirement plus headroom is 24,837 and the supply is 24,969. There is an over-supply of 132 houses which losing this Site of 80 will not affect.

167. Equally the Plan does not even require this Site to ensure early delivery from 'oven-ready' sites. Page 19 of CD7.3 confirms that from 26/27 to 32/33 there will be far in excess of 80 homes over the necessary 5-year supply figure (around 900 homes in excess rising to over 2000). This takes the shine off the Appellant's claimed benefit of being 'oven-ready'.

168. The fundamental point is that there is a plan-led solution just around the corner which will solve this District's housing issues in a much more preferable way than ad hoc sites coming forward contrary to the development plan.

169. That certainty does not negate the benefits associated with housing delivery from this Site (and Mr Greaves did not argue as such) but it does render such an argument insufficient to justify deciding contrary to the Development Plan.

170. The second argument is to rely on the fact that this Site has been put forward for allocation in the emerging Plan.

171. It has, but that does not mean it is allocated and that modification is still subject to consultation, objection and likely examination. Not least as in this case, consideration of the two significant matters before this Inquiry (very detailed Ancient Woodland and Transport Sustainability evidence) go directly to the prospects of the site being allocated at all – evidence of which will be presented to the Local Plan consultation, and which was previously not before that process. It is close to illogical that Mr

Billington can maintain that the wider emerging plan should carry minimal weight until the Examiner's publish their report[39] but the proposed allocation which is further behind the rest of the Plan should carry 'substantial' positive weight. It can't.

172. Furthermore, the fact of a potential allocation should not justify making a decision which would rob that potential allocation of its relevance. If the Site has to come forward (which the R6 strenuously resist but it is clearly relevant context), then it is much better done in that plan-led process which would allow issues as to sustainability, ancient woodland and ecology to be picked up and addressed through the requirements of the allocation policy.

173. The fact that this Site is proposed to be allocated does not justify departing from the Development Plan to make a decision which robs that very proposed allocation of its relevance.

174. The rest of the collection of benefits relied upon (economic benefits, BNG, pedestrian and cycle improvements etc) fall far short of justifying departing from the Plan. They are each flawed. The economic benefits are generic and the significant weight given to them by Mr Billington is based on a misinterpretation of the NPPF which wrongly considers that paragraph 85 directs significant weight be given[40]. The rest are more characterised as required mitigations to off-set an impact rather than weighty benefits justifying development contrary to the Plan.

175. Overall, there are two potential route maps for the Inspector to refuse this Appeal.

176. If there is Ancient Woodland, then refusal is done on a flat balance and not contested by the Appellant if 193 c is trigged.

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[39] Proof at 7.9

[40] Contrary to **Bewley Homes PLC v Secretary of State for Levelling Up, Housing and Communities & Anor** [2024] EWHC 1166 (Admin) at ID19 and 20.

177. If there is not Ancient Woodland then the tilted balance does apply. But the adverse impacts of granting permission would demonstrably outweigh the benefits. This is an highly unsustainable site (particularly highlighted at para 11), which is contrary to the Development Plan as a whole, which would harm reptiles and bats. It would deliver housing, but that housing is going to be delivered in a plan-led fashion shortly by the emerging plan which does not require this Site to be adopted.

178. In our Opening we set out that we would present evidence at this inquiry that this is the wrong type of development in the wrong place and at the wrong time. We have done that, and the only appropriate course of action is to refuse permission and dismiss the appeal.

PIERS RILEY-SMITH
KINGS CHAMBERS
13 AUGUST 2026